

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN EVANS,

Petitioner,

v.
PAUL VERDINI,

Respondent.

Civil Action
No. 04-10323-RWZ

ORDER ON APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF FEES AND AFFIDAVIT

Having considered the petitioner's Application to Proceed Without Prepayment of Fees and Affidavit under 28 U.S.C. § 1915:

In accordance with Fed. R. Civ. P. 5(e), the Clerk filed the Section 2254 petition on _____ and assigned it Civil Action No. 04-10323

It is ORDERED that:

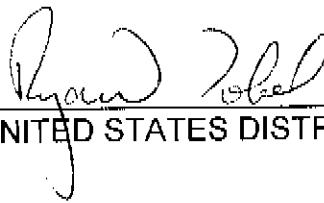
The Application to Proceed Without Prepayment of Fees and Affidavit is GRANTED.

The Application to Proceed Without Prepayment of Fees and Affidavit is DENIED for the following reason(s):

Petitioner has sufficient funds in his prison account to pay the \$5 filing fee.

It is FURTHER ORDERED that petitioner must pay the \$5.00 filing fee within 42 days of the date of this Order or this case will be dismissed without prejudice.

2/26/04
DATE



UNITED STATES DISTRICT JUDGE